

Colonel Thomas Baker and Founding of Bakersfield

(By NAOMI E. BAIN)

In less than 10 years he had risen from a poor man with only foresight, ambition, and energy as his capital. He had accomplished the impossible by reclaiming a swampy wasteland and making of it a beautiful fertile valley. He had for this been rewarded by the state with a grant of 87,120 acres of land which he had sold and given to many new settlers in need of homes and farm land. Much of his own profit from this he had spent to feed the hungry and house the homeless and the weary. He had worked and fought tirelessly to make his land a city, and he had won his object less than 10 years after he had begun his task.

Not long after his death the Southern Pacific Railroad line was completed through the valley, passing several miles north of Bakersfield and leaving out the main part of town entirely. A new town of Sumner was established by the railroad. But, acting on the wise counsel of Colonel Baker, the citizens of Bakersfield had stubbornly refused to assist in the railroad building even to buying either their stock or the land for sale by the railroad. Many difficulties were encountered to delay the completion of the road for some time. Sumner became, in the eyes of Bakersfield residents, a place where one went only for business purposes.

Many years later when Sumner was finally granted permission to incorporate with Bakersfield and become known as "East Bakersfield," or more commonly, the "East Side."

It was but a short while after that the Miller & Lux and the Hagin & Carr estates had bought out the greater portion of the more choice lands. Water rights became a predominating subject for argument and a great suit took place.

Then on September 17, 1878, in the case of People ex. rel. J. L. Love, attorney general, versus John Center, et al., appellants and respondents, the District Court of the twelfth judicial district—San Francisco—handed down a decision which declared the Montgomery patent under which Colonel Thomas Baker had been granted his land for reclaiming

the swamps null and void on the grounds that too much land had been given away for such a small amount of improvement. Accompanying the decree was a statement by the court pointing out that the governor and the surveyor-general did not issue a certificate stating that the land had been reclaimed—a proceeding directed by the law. The court held that this matter was not remedied by the fact that the patent had been signed by the governor, and the secretary of state who happened also to be the surveyor-general. Another defeat pointed out by the court was that the land had not actually been reclaimed.

But this decree mattered not to the colonel and little more to those to whom he had sold the land. Long before Baker's death most of the land had been sold for from 10 cents to \$1.50 per acre—no more. An act approved by the Legislature on March 20, 1878, provided that all persons who had bought land covered by the Montgomery patent after the issuance of that patent should be entitled to a decree of court giving them a patent to those lands in question if within 60 days after the passage of that act they should show that they had spent for taxes, improvements, fences and reclamation a total of not less than one dollar per acre for "all the lands so claimed by each." All concerned were easily able to comply with these conditions.

In 10 years a single man had discovered the possibilities of a vast wasteland; had made it into a prosperous farming country; had aided settlers to establish themselves; and had planned a city with modern proportions. It is significant to note Baker's foresight and ingenuity, his kindheartedness and honesty which were the important factors in the personality of the man. It must be remembered that Baker's original plans for the city were much as the existing order of things; and save for his powerful influence during the years 1862-1872, such a progressive and prosperous city as Bakersfield could hardly have resulted.

(The End)